



## **ESIL Interest Group on International Criminal Justice Call for Papers**

### **Reconstructing International Criminal Justice as It Unfolds**

The Interest Group on International Criminal Justice is organizing a Workshop on Reconstructing International Criminal Justice as It Unfolds. This hybrid workshop will take place online and in-person in Berlin, Germany, on Thursday 11 September 2025, at 9.00 (cet), immediately prior to the ESIL 2025 Annual Conference.

#### **Workshop Theme**

The ongoing events in Ukraine and Gaza have underscored both the pressing need for international criminal justice and its limitations in effecting change during conflict and post-conflict situations. This inability to quickly respond to rapidly changing situations has caused some to question whether international criminal justice can play an effective deterrent role in preventing the damaging consequences of armed conflict. These criticisms highlight the urgent need to reassess international criminal justice as it unfolds in response to contemporary crises. As international criminal justice evolves, questions arise about whether the ICC should prioritize practical measures to address immediate challenges or remain aspirational in its pursuit of broader ideals. This tension underpins the need to critically evaluate and reconstruct its framework and practices. This workshop aims to delve specifically into the evolving dimensions of international criminal justice for the purpose of reshaping the discipline to make it more attentive to the needs of victims and those directly involved in the investigation and prosecution of international crimes.

Efforts to reconstruct international criminal justice require diverse, yet interconnected, approaches to shaping its future. One perspective on reconstruction may indeed call for first assessing which of the discipline's achievements are worth saving. This way of thinking about reconstruction emphasizes the importance of cementing existing structures and practices that have significantly advanced efforts to end impunity for international crimes. Certain parts of the system, as they have developed so far, may indeed be effective and hopefully resilient. This could include: maintaining the vital role of victim participation and reparations in international criminal trials, the scope of fair trial protections extended to the accused, as well as preserving the enduring value of judicial opinions that have better shaped the definitions of war crimes, crimes against humanity, genocide, and modes of liability.

The reconstruction of international criminal justice should also involve institutions more freely borrowing and adapting practices from other judicial or quasi-judicial systems. Maximising the effectiveness of international criminal justice requires an open-minded and collaborative approach. International criminal justice institutions should be interpreted not only through the decisions of other similarly situated courts and tribunals, but should also consider the practices of (quasi-)judicial bodies like the European Court of Human Rights, the Inter-American Court of Human Rights, the African Court on Human and Peoples' Rights, the various U.N. human rights treaty bodies, and independent fact-finding missions. Lessons drawn from hybrid or regional bodies, which have demonstrated long-standing success, might underscore the need to consolidate and build upon these foundational aspects. Similarly, integrating restorative justice mechanisms, including truth and reconciliation commissions, offers an opportunity to complement the Statute's prosecutorial model with more holistic approaches to accountability and reconciliation. Borrowing and adapting can also come from the increasingly developed practice of domestic courts. Those systems conducting trials on the basis of universal jurisdiction could provide real instruction on better evidentiary practices and procedural innovations that could lead to the strengthening of efficiency and greater fairness of proceedings. Further, real innovation could be found by looking beyond Western understandings and interpretations of the law, and incorporating the legal processes found in systems that have traditionally received little attention from the international legal community.

A third approach requires accepting that there are existing international criminal justice practices that simply do not work and need reframing in order to improve the overall effectiveness of the discipline. This could involve rethinking critical aspects of the Rome Statute, such as its provisions on immunity, complementarity, and cooperation, to ensure clearer and more enforceable frameworks. The persistent issue of unexecuted arrest warrants highlights the need for enhanced enforcement mechanisms and more robust cooperation strategies. Additionally, the jurisdictional framework for the crime of aggression might require reconsideration to better align with contemporary realities. Remodeling the Rome Statute also invites reflection on how to balance the ICC's aspirational objectives with the practical realities of enforcement and cooperation. Ensuring that the Statute's provisions are both ambitious and achievable is vital for maintaining its relevance and effectiveness. Furthermore, attention must be given to how amendments to the Rome Statute have been effected so far, and whether States Parties have adhered to the established procedures or limited the Statute's normative reach. These and other structural issues present opportunities to innovate and adapt international criminal justice to meet the demands of an evolving global landscape.

Through these varied perspectives, the workshop aims to foster a comprehensive dialogue on how international criminal justice can be reimagined and strengthened. Participants are encouraged to contribute ideas that reflect on these approaches and propose innovative ways of addressing the challenges and opportunities in this field.

### **Submission of Proposals and Timeline**

We invite proposals for papers that address one or more of the above ideas. Abstracts should be no more than 300 words. The deadline for submissions is Tuesday 1 April 2025. Please email your abstracts to the Interest Group's convenors at: [esiligicj@gmail.com](mailto:esiligicj@gmail.com)

The following information should be provided with each abstract in the same document:

- The author's name, affiliation, and contact details, including email address;
- The author's short biography (max 150 words);
- Whether you intend to attend the conference online or in-person;

Additionally, please make sure to name your file with your surname and the title of the abstract for easy identification.

Submitters will be advised of the outcome of the selection procedure by 21 April.

The Interest Group is unable to provide funding for travel and accommodation. Selected speakers will be expected to bear the costs of their own travel and accommodation. Some [ESIL travel grants](#) and [ESIL carers' grants](#) will be available to offer partial financial support to speakers who have exhausted other potential sources of funding.

Please see the [ESIL website](#) for all relevant information about the conference.

All participants at ESIL Interest Group workshops are required to register for the Annual Conference. There will be an option to register to attend only the IG workshops; however, all participants are warmly invited to attend the entire event.

Selected speakers should indicate their interest in being considered for the ESIL Early-Career Scholar Prize, if they meet the [eligibility conditions](#) as stated on the ESIL website. The [ESIL Secretariat](#) must be informed of all selected speakers who wish to be considered for the Prize before 30 April.